

ZONING BOARD OF ADJUSTMENT MEETING

CITY OF DAVENPORT, IOWA

THURSDAY, AUGUST 27, 2020; 4:00 PM

CITY HALL | 226 WEST 4TH STREET | COUNCIL CHAMBERS

THE ZONING BOARD OF ADJUSTMENT HOLDS PUBLIC HEARINGS TO CONSIDER
HARDSHIP VARIANCES, SPECIAL USES, AND INTERPRETATION APPEALS.

I. Call to Order

II. Secretary's Report

A.

III. Old Business

A. THIS ITEM IS TABLED UNTIL AUGUST 27TH.

Request HV20-05 of Jeff Heuer on behalf of Triton Services for a hardship variance at 2324 Hickory Grove Road to allow the expansion and enlargement of a nonconforming use and nonconforming structures with the construction of a plumber's storage building on residential property (R-4C). [Ward 4]

B. THIS ITEM IS TABLED UNTIL AUGUST 27TH.

Request HV20-06 of Jeff Heuer on behalf of Triton Services for a hardship variance at 2324 Hickory Grove Road to construct an 8-foot fence near the perimeter of the lot and near the building line along Hickory Grove Road; the proposed fence will not be located in the front yard nor will the proposed fence have barbed wire. Section 17.09.030.H.2.b. requires fences located in the minimum side or rear setbacks to be limited to 6 feet in height. [Ward 4]

IV. New Business

A. Request HV20-07 of Gary Caldwell on behalf of Speedway LLC for a hardship variance at 8303 Northwest BLVD for a sign package allowing:

- 1.) a second, or additional freestanding sign, being sign "A";
- 2.) a freestanding sign 40' in height at 260 sq. ft., also being sign "A";
- 3.) ~~a freestanding sign 29.5' in height at 165 sq. ft., being sign "H"; and~~
- 4.) a variance for 'parking lot signage' allowing signs "L", "M", & "N" at 5 sq. ft. and sign "P" at 15 sq. ft.

The proposed signs will be located on a newly developed fuel stop. Section 17.12.050 and .060. limits the property to one freestanding sign feet 25' in height with a sign face of no more than 100 sq. ft. and parking lot directional signage to 5' in height with a sign face no more than 4 sq. ft. [Ward 8]

V. Other Business

VI. Adjourn

City of Davenport
Zoning Board of Adjustment

Department: DNS
Contact Info: Scott Koops, Planner II, AICP
Scott.Koops@davenportiowa.com

Date
8/27/2020

Subject:

ATTACHMENTS:

Type	Description
▣ Exhibit	Minutes

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Koops, Scott	Approved	8/24/2020 - 2:19 PM



MINUTES
Zoning Board of Adjustment
August 13, 2020



By this reference all reports, documents, presentations, videos and the hearing's video recording are incorporated into the minutes.

Call to Order

Chairman Reistroffer called the Zoning Board of Adjustment meeting to order in the Community Planning Room at the Davenport Police Station, Davenport, Iowa at 4:20 p.m.

Board Members present: Loebach, Quinn, and Reistroffer.

Board Members excused: Cochran & Strayhall.

Staff present: Koops, and attorney Hoyt.

I. Secretary's Report:

Minutes were approved for the for 7-23-20 meeting by voice-vote.

II. Old Business:

None.

III. New Business:

Request SU20-05 of Brian Girsakis on behalf of Suburban Construction at 3602 Harrison Street for a Heavy Retail Special Use to ensure the use is compatible with the general land use of adjacent properties and the immediate vicinity. Heavy Retail Establishments may include retail sales of heavier and larger-scale commercial character typically requiring permanent outdoor storage areas. Section 17.08.020 requires a Special Use for this C-3 General Commercial property and the proposed business. [Ward 7]

Koops presented the staff report.

Staff Findings & Recommendation

Findings:

The location/design/construction of the proposed use meets the requirements of a Special Use.

Recommendation:

Staff recommends approval of the request.

Motion

Loebach moved to approve the request with a second by Quinn.

Loebach, yes; Quinn, yes; Reistroffer, yes. The motion passed (3-0).

IV. Other Business

None.

V. Adjourn

The meeting adjourned unanimously by voice vote at approximately 4:40pm.

City of Davenport
Zoning Board of Adjustment

Department: DNS
Contact Info: Scott Koops, Planner II, AICP
Scott.Koops@davenportiowa.com

Date
7/23/2020

Subject:
THIS ITEM IS TABLED UNTIL AUGUST 27TH.

Request HV20-05 of Jeff Heuer on behalf of Triton Services for a hardship variance at 2324 Hickory Grove Road to allow the expansion and enlargement of a nonconforming use and nonconforming structures with the construction of a plumber's storage building on residential property (R-4C). [Ward 4]

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Koops, Scott	Approved	8/6/2020 - 3:47 PM

City of Davenport
Zoning Board of Adjustment

Department: DNS
Contact Info: Scott Koops, Planner II, AICP
Scott.Koops@davenportiowa.com

Date
7/23/2020

Subject:
THIS ITEM IS TABLED UNTIL AUGUST 27TH.

Request HV20-06 of Jeff Heuer on behalf of Triton Services for a hardship variance at 2324 Hickory Grove Road to construct an 8-foot fence near the perimeter of the lot and near the building line along Hickory Grove Road; the proposed fence will not be located in the front yard nor will the proposed fence have barbed wire. Section 17.09.030.H.2.b. requires fences located in the minimum side or rear setbacks to be limited to 6 feet in height. [Ward 4]

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Koops, Scott	Approved	8/6/2020 - 3:47 PM

City of Davenport
Zoning Board of Adjustment

Department: DNS
Contact Info: Scott Koops, Planner II, AICP
Scott.Koops@davenportiowa.com

Date
8/27/2020

Subject:

Request HV20-07 of Gary Caldwell on behalf of Speedway LLC for a hardship variance at 8303 Northwest BLVD for a sign package allowing:

- 1.) a second, or additional freestanding sign, being sign "A";
- 2.) a freestanding sign 40' in height at 260 sq. ft., also being sign "A";
- 3.) ~~a freestanding sign 29.5' in height at 165 sq. ft., being sign "H"; and~~
 - 4.) a variance for 'parking lot signage' allowing signs "L", "M", & "N" at 5 sq. ft. and sign "P" at 15 sq. ft.

The proposed signs will be located on a newly developed fuel stop. Section 17.12.050 and .060. limits the property to one freestanding sign feet 25' in height with a sign face of no more than 100 sq. ft. and parking lot directional signage to 5' in height with a sign face no more than 4 sq. ft. [Ward 8]

Recommendation:

See attached Staff Report.

ATTACHMENTS:

Type	Description
▣ Executive Summary	Staff Report & Exhibits

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Koops, Scott	Approved	8/24/2020 - 2:16 PM



Zoning Board of Adjustment
Planning Staff Report – Exceed Signage Allotment
~~June 25, 2020~~
August 27, 2020

Description

Request HV20-07 of Gary Caldwell on behalf of Speedway LLC for a hardship variance at 8303 Northwest BLVD for a sign package allowing:

- 1.) a second, or additional freestanding sign, being sign "A";
- 2.) a freestanding sign 40' in height at 260 sq. ft., also being sign "A";
- 3.) ~~a freestanding sign 29.5' in height at 165 sq. ft., being sign "H"; and~~
- 4.) a variance for 'parking lot signage' allowing signs "L", "M", & "N" at 5 sq. ft. and sign "P" at 15 sq. ft.

The proposed signs will be located on a newly developed fuel stop. Section 17.12.050 and .060. limits the property to one freestanding sign feet 25' in height with a sign face of no more than 100 sq. ft. and parking lot directional signage to 5' in height with a sign face no more than 4 sq. ft. [Ward 8]

Background & Discussion

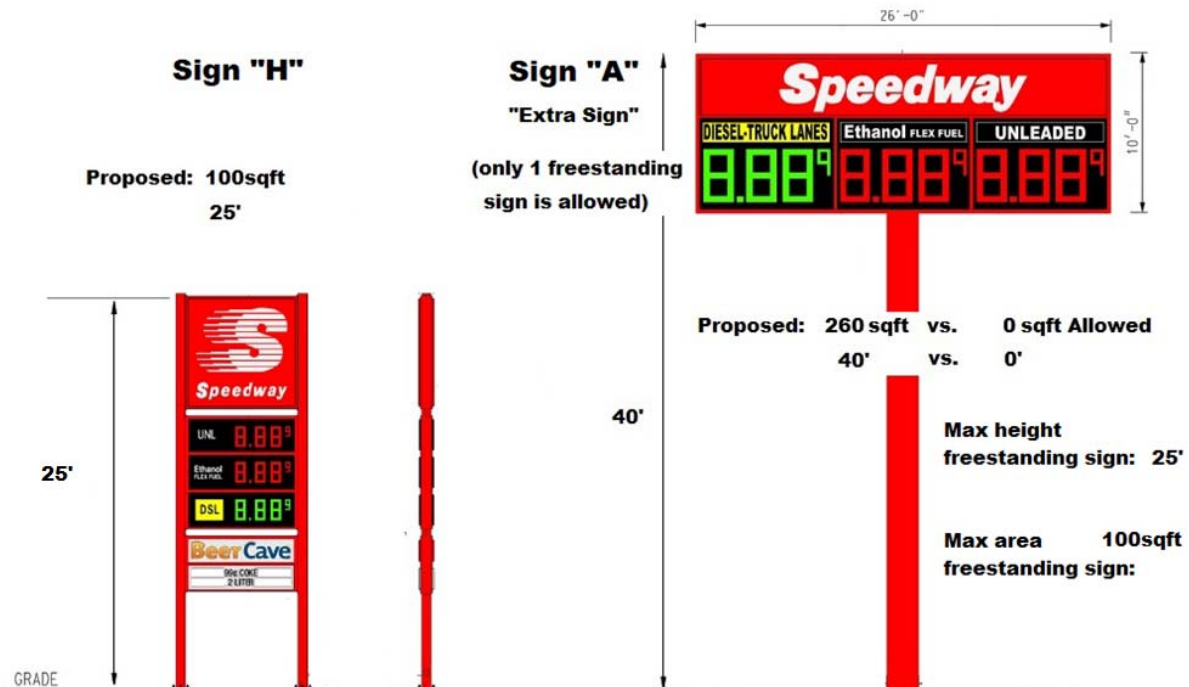
In summary, the request is for two (2) identification signs ("A" & "H"); only one of which is allowed at 100 sq.ft., being no more than 35' in height.

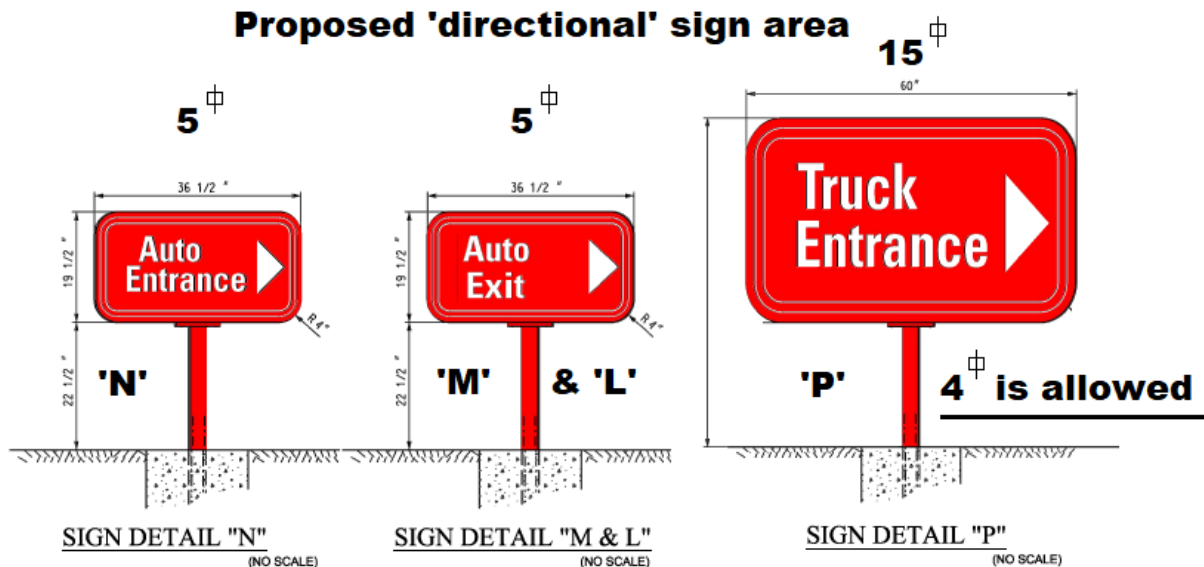
Additionally, four (4) 'directional' signs (what the zoning code refers to as "Parking Lots and Structures: Additional Signs") are proposed ("L" "M" "N" "P"); three of these need a variance for exceeding the allowed sign face by 1 sq.ft. each.; the other 'directional', sign (labeled "P") is at the far northeast portion of the lot, and is designed for trucks. 'Directional' sign "P" would be 15 sq. ft. in area, which is 11 sq. ft. more than allowed. None of the 'directional' signs would exceed the allowed height of five (5) feet above grade.

Site Overview:



Site: Two (2) identification signs are located at "A" & "H")
 Four (4) 'directional' signs are located at "L" "M" "N" & "P"





Public Input

Notices were sent to adjacent property owners within 200 feet of the request.

Purpose of a Hardship Variance

Davenport Municipal Code Section 17.14.060 states: *The purpose of the hardship variance process is to provide a narrowly circumscribed means by which relief may be granted from unforeseen applications of this Ordinance that create practical difficulties or particular hardships.*

Approval Standards

The Zoning Board of Adjustment decision must make findings to support each of the following: (code requirement/ applicants response/staff comments)

1. Strict application of this Ordinance will result in hardship unless the specific relief requested is granted.

Applicant Response:

A. Variance to allow for 1 additional free standing ID sign on top of the 1 allowed free standing ID sign. The hardship that would result is based on both location and competition. The Speedway facility is located the farthest from the interchange compared to its immediate two competitors. The immediate competitors are Love's and Petro, both of which have two free standing ID signs totaling 1,078.68 sf and 080 sf respectively. Speedway's proposal is to allow for two freestanding ID signs totaling 425 sf. Without the variance Speedway would be at a severe disadvantage in attracting customers to their site.

C. Variance to allow for a mid rise sign to exceed the 25'-0" height and 100 sf restriction at a height of 40'-0" and a total of 260 sf. The mid rise sign is the farthest sign from the interchange and therefore requires the additional height and square footage as shown. The variance will allow the Speedway costumers to see the sign from the interchange and to be directed towards the site. As stated in part A, without the variance Speedway will be at a severe disadvantage.

D. Variance to allow for (1) directional sign (Truck Entrance) to exceed the 4 sf at a total of 15 sf. Along Hillandale the truck entrance is 871 ft from the intersection with Northwest Boulevard. In addition the truck entrance is on the left hand side verses a right hand inbound lane for the

Love's truck entrance. Therefore the additional square footage will allow the Speedway truck costumer to safely maneuver on Hillandale and enter the site. Without this variance Speedway will be at severe disadvantage in regards to the truck costumers.

E. Variance to allow for (3) directional signs (Auto Entrance & Exit) to exceed the 4 sf at 5 sf each. Hillandale would serve as auto entrance for both the Love's and Speedway costumer. Hillandale is a 4-lane road with dedicated turn lanes and therefore is considered a complex road per USSC guidelines. In order for the Speedway costumer to see the directional sign from a safe distance a variance is required.

Staff Comments:

The second freestanding sign, proposed sign "A", is a convenience to the petitioner. Both the sign height (a 60% increase over the allowed height) and sign face (a 160% increase over the allowed area) are significantly oversized compared to sign ordinance requirements. Furthermore, only one freestanding identification sign is allowed (excluding parking lot or 'directional' signage). Previous sign codes also limited truck stops to one main freestanding sign.

If a hardship variance has been granted over time for other similarly situated uses, those variance were and are specific to the site at which they exist and do not grant the applicant any special standing for the site under consideration at 8303 Northwest BLVD. Previous signage variances do not set a precedence for any other properties or any other future hardship variances, as Iowa Courts have consistently ruled over time. The Flying J truck stop's hardship variance for a larger size sign, and the Love's truck stop hardship variance to expand their sign package are independent actions not related to this request.

For this request the applicant is responsible for demonstrating, with evidence, the basis for the hardship and the need for the requested signage. No evidence of a hardship related to this specific site has been documented. A desire or a perceived need for visibility at certain distances are not grounds for a hardship variance. The requirements of the zoning code, in and of themselves, are not grounds for a hardship variance.

The proposed sign is a convenience to the petitioner, and if denied, the property owner could construct a sign that meets code requirements without any hardship.

2. The particular physical surroundings, shape, or topographical conditions of the specific property impose a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.

Applicant Response:

A/B/C. Variances A, B & C to allow for 1 additional free standing ID sign and additional height and square footage are required because of the proximity to the interchange and to the competition.

D/E. Variance to allow for directional signage to exceed the 4 sf; the physical surroundings of Hillandale are such that it is a 4 lane boulevard with businesses proposing to enter and exit on both sides of the road. Mandate the directional signage is visible from a safe distance and therefore the variance is required.

Staff comments:

Proximity of one's competitors to this site and whether or not his site is near an interstate interchange are not physical limitations to this site which create or place any hardship on the applicant. There is no 'mandate' regarding 'directional' signage (or what the code refers to as "Parking Lots and Structures: Additional Signs"). No evidence has been submitted that support a hardship due to "particular physical surroundings, shape, or topographical conditions which impose a particular hardship upon the owner"

3. The plight of the owner is due to unique circumstances that do not apply to a majority of adjoining or nearby property, and is not a self-created hardship.

Applicant Response:

A/B/C. Variances A, B & C to allow for 1 additional free standing ID sign and additional height and square footage for the ID signs: The unique circumstances is due to the proximity to the interchange and to the existence of the nearby competitors.

D/E. Variance to allow for directional signage to exceed the 4 sf: The unique circumstance is due to the complexity of Hillandale as a boulevard complete with a landscape median, 4 lanes and a dedicated turn lane.

Staff Comments:

This site is like any other flat piece of ground with a retail use. Being located near other similar uses or near an interstate interchange, is not a hardship nor is it unique. Additionally, there are many commercial properties along interstates within Davenport and all of them are subject to the same zoning code requirements.

The plight of the owner is due solely to personal convenience. No evidence has been submitted in support of any unique circumstances due the physical characteristics of the land.

4. The hardship variance, if granted, will not alter the essential character of the locality.

Applicant Response:

A/B/C. Variances A, B & C to allow for 1 additional free standing ID sign and additional height and square footage: The variance that Speedway is requesting is for two signs at a total of 360 sf versus the two nearest competitor signs at approximately 1,080 sf. Therefore the variance would not alter the essential character of the locality.

D/E. Variance to allow for directional signage to exceed the 4 sf: The direction signs are only visible for the patrons that are on Hillandale and there for their safety. Therefore these signs will not alter the essential character of the locality.

Staff Comments:

A second freestanding sign ("A") over the one that is allowed, which is a 60% increase in height and a 160% increase in area, will in staff's opinion change the character of the locality.

Findings & Staff Recommendation:

Findings: (Per the analysis above)

- Item #1 application of the ordinance creating hardship has not been established;
- Item #2 physical surroundings imposing hardship has not been established;
- Item #3 unique circumstance has not been established;
- Item #4 protection of essential character has not been established;
- The submitted application does not provide the necessary evidence required to prove that any of the zoning code's approval standards have been met.

Recommendation:

Staff recommends denial of the requested hardship variances.

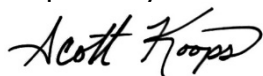
Signs "A" and "H": these signs are both significantly over the height and area allowed by the freestanding sign code; while sign "H" exceeds the requirements to a lesser extent than sign "A", there still remains a lack of justification for the additional size of sign "H" and for the second sign in general.

Motions for consideration:

The Staff recommends considering the request as three separate motions:

- Motion #1: "For consideration purposes, I move to approve the request for an additional freestanding sign, sign 'A' "; (should the motion be fail, skip Motion #2)
- Motion #2: "For consideration purposes, I move to approve the size and height of the approved second freestanding sign (sign "A") with the following height and area dimensions: _____feet high and _____square feet in area."
- Motion #3 "For consideration purposes, I move to approve the request for directional signs 'L', 'M', 'N' and 'P' ".
[NOTE 15-sqft sign 'P' can be considered separately]

Prepared by:



Scott Koops, AICP, Planner II

Attachments: ZBA Application/plans, Notice Documents

Revised Application email from the Petitioner

From: Caldwell, Gary (Speedway) <GCaldwell@speedway.com>
Sent: Friday, August 21, 2020 11:55 AM
To: Koops, Scott E.
Subject: [EXT] RE: Speedway Gas Station - Exhibits

Scott,

I have update the verbiage as discussed, please let me know if you need anything else.

The proposed site is located at the NEC of Hillandale Rd & Northwest Boulevard. The on-site improvements will include a 4,600 sqft C-store, a 10 dispenser Auto Canopy, a 4 Lane CFL Canopy, a CAT Scale, (1) Goal Post Sign and (1) Mid Rise Sign. Listed below are the requested actions;

- A. Variance to allow for 1 additional free standing sign
- B. Variance to allow for a mid-rise sign to exceed the 25'-0" height and 100 sf restriction at a height of 40'-0" and a total of 260 sf.
- D. Variance to allow for (1) directional sign (Truck Entrance) to exceed the 4 sf at a total of 15 sf.
- E. Variance to allow for (3) directional signs (Auto Entrance, Exit, Exit) to exceed the 4 sf at 5 sf each.

Thanks,




Gary Caldwell, PMP | Construction Project Manager | Speedway LLC

8200 185th Street, Suite E, Tinley Park, IL 60487

Office: 708-444-7091 | Cell: 312-343-9075 | Email: gcaldwell@speedway.com

PREVIOUS REQUEST:

Please describe the variance(s) requested:

Existing Zoning: 

REVISED REQUEST:

Please describe the variance(s) requested:

The proposed site is located at the NEC of Hillandale Rd & Northwest Boulevard. The on-site improvements will include a 4,600 sqft C-store, a 10 dispenser Auto Canopy, a 4 Lane CFL Canopy, a CAT Scale, (1) Goal Post Sign and (1) Mid Rise Sign. Listed below are the requested actions;

- A. Variance to allow for 1 additional free standing sign
- B. Variance to allow for a mid-rise sign to exceed the 25'-0" height and 100 sf restriction at a height of 40'-0" and a total of 260 sf.
- D. Variance to allow for (1) directional sign (Truck Entrance) to exceed the 4 sf at a total of 15 sf.
- E. Variance to allow for (3) directional signs (Auto Entrance, Exit, Exit) to exceed the 4 sf at 5 sf each.

- The completed application form.
- A PDF that shows the location and dimensions of existing and proposed structures affected by the hardship variance. If a paper copy is provided, the maximum size is 11" x 17".
- Description and evidence that demonstrates consistency with the criteria listed in Section 17.14.060 of the Davenport Municipal Code.
- Recorded warranty deed or accepted contract for purchase.
- Authorization form, if applicable. If the property is owned by a business entity, please provide Articles of Incorporation.
- Required fee - \$200.

The Applicant hereby acknowledges and agrees to the following procedure and requirements:

(1) Application:

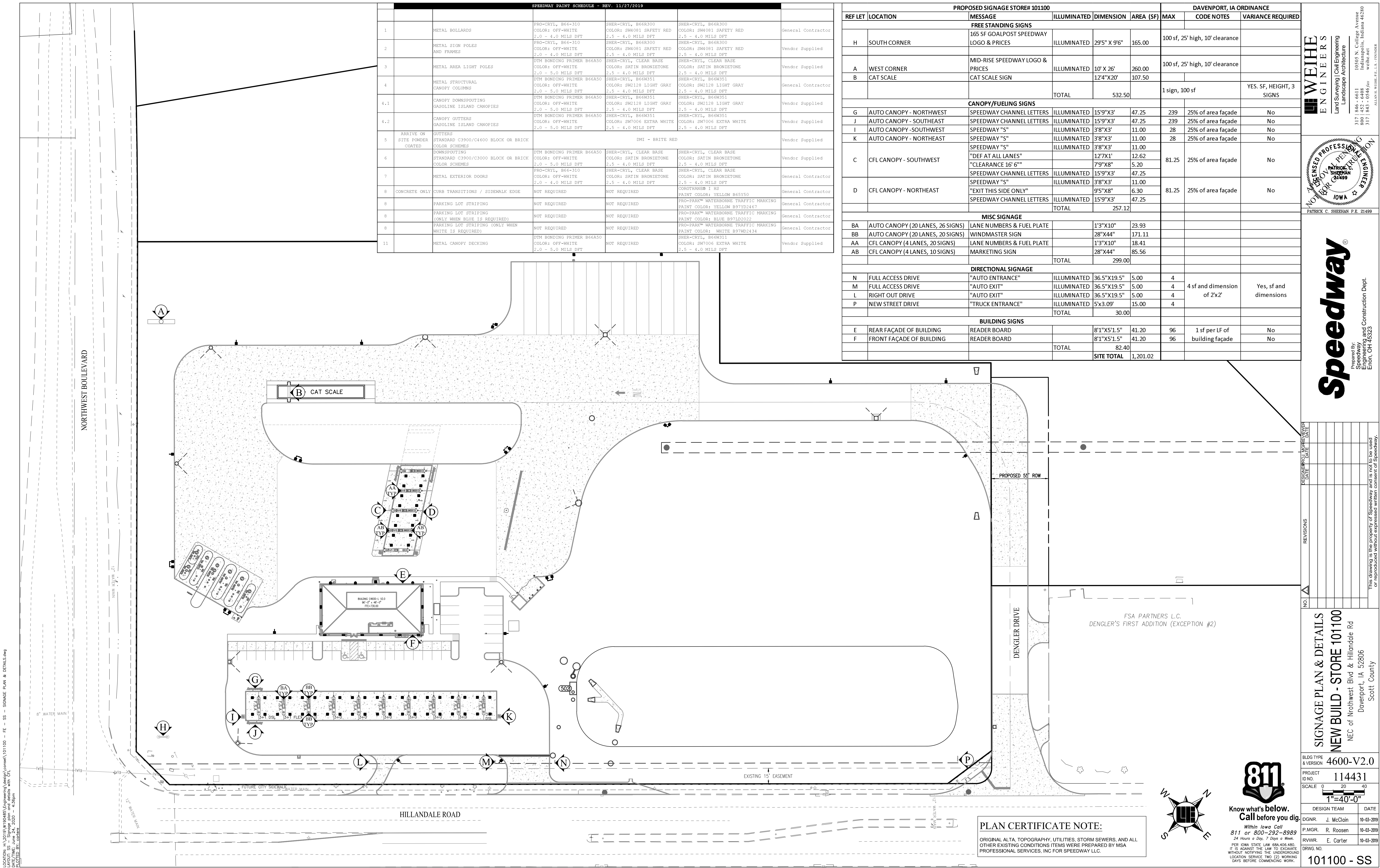
- Prior to submission of the application for the hardship variance, the applicant shall correspond with Planning staff to discuss the request, potential alternatives and the hardship variance process.
- The submission of the application does not constitute official acceptance by the City of Davenport. Planning staff will review the application for completeness and notify the applicant that the application has been accepted or additional information is required. Inaccurate or incomplete applications may result in delay of required public hearings.

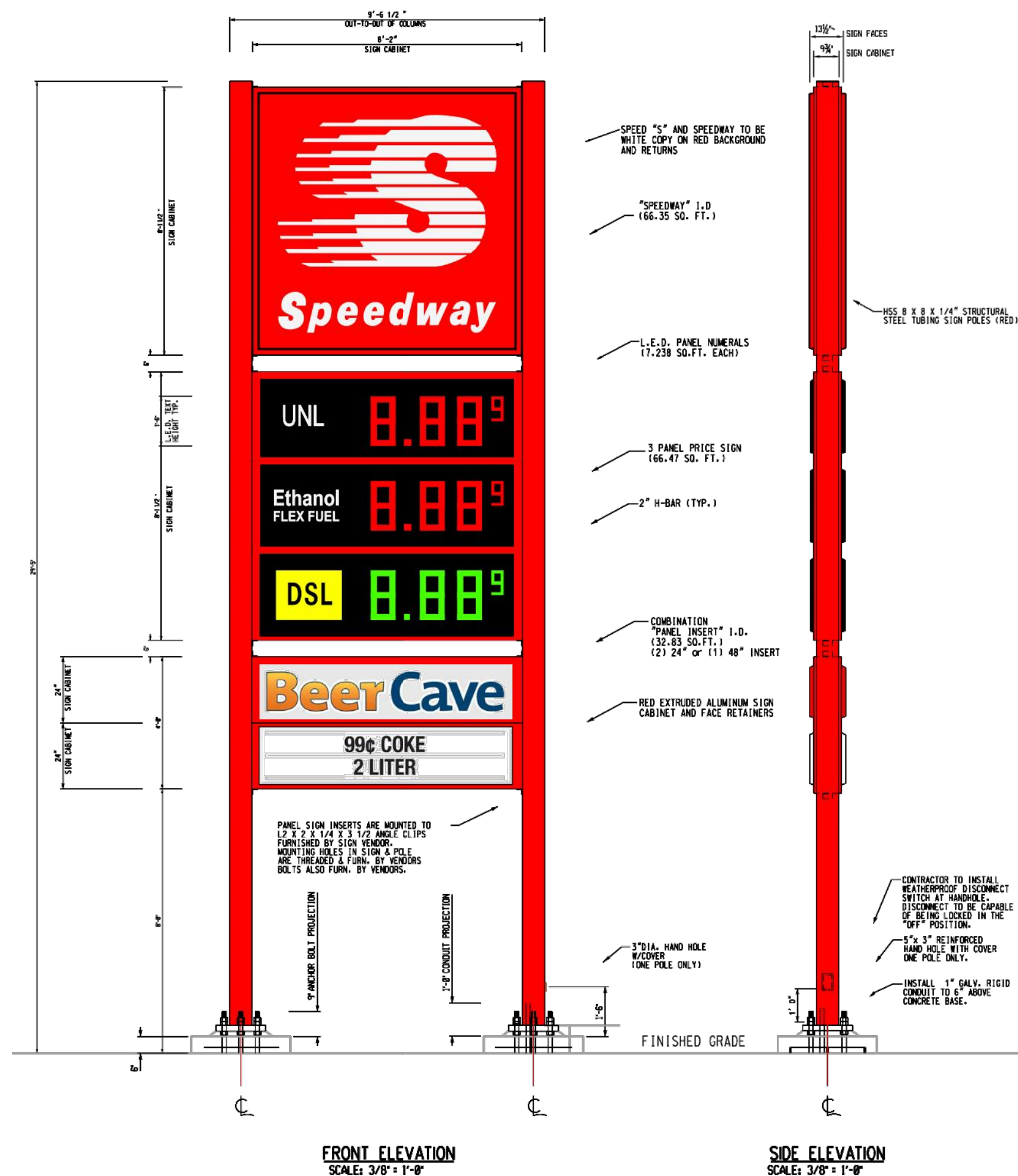
(2) Public Notice for the Zoning Board of Adjustment public hearing:

- Planning staff will send a public hearing notice to surrounding property owners.

(3) Zoning Board of Adjustment's consideration of the hardship variance:

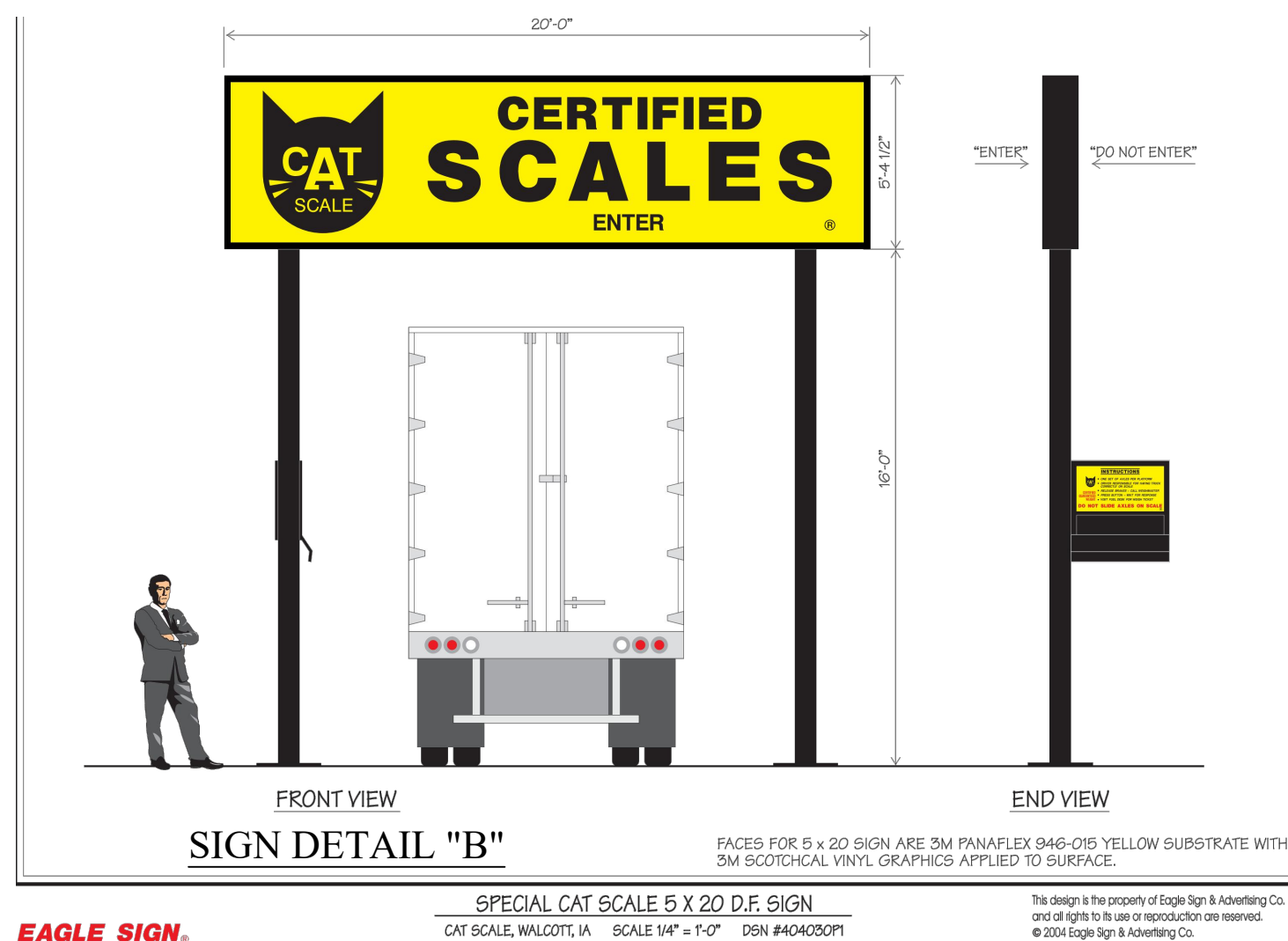
- Planning staff will perform a technical review of the request and present its findings and recommendation to the Zoning Board of Adjustment.
- The Zoning Board of Adjustment will hold a public hearing and vote on the request.



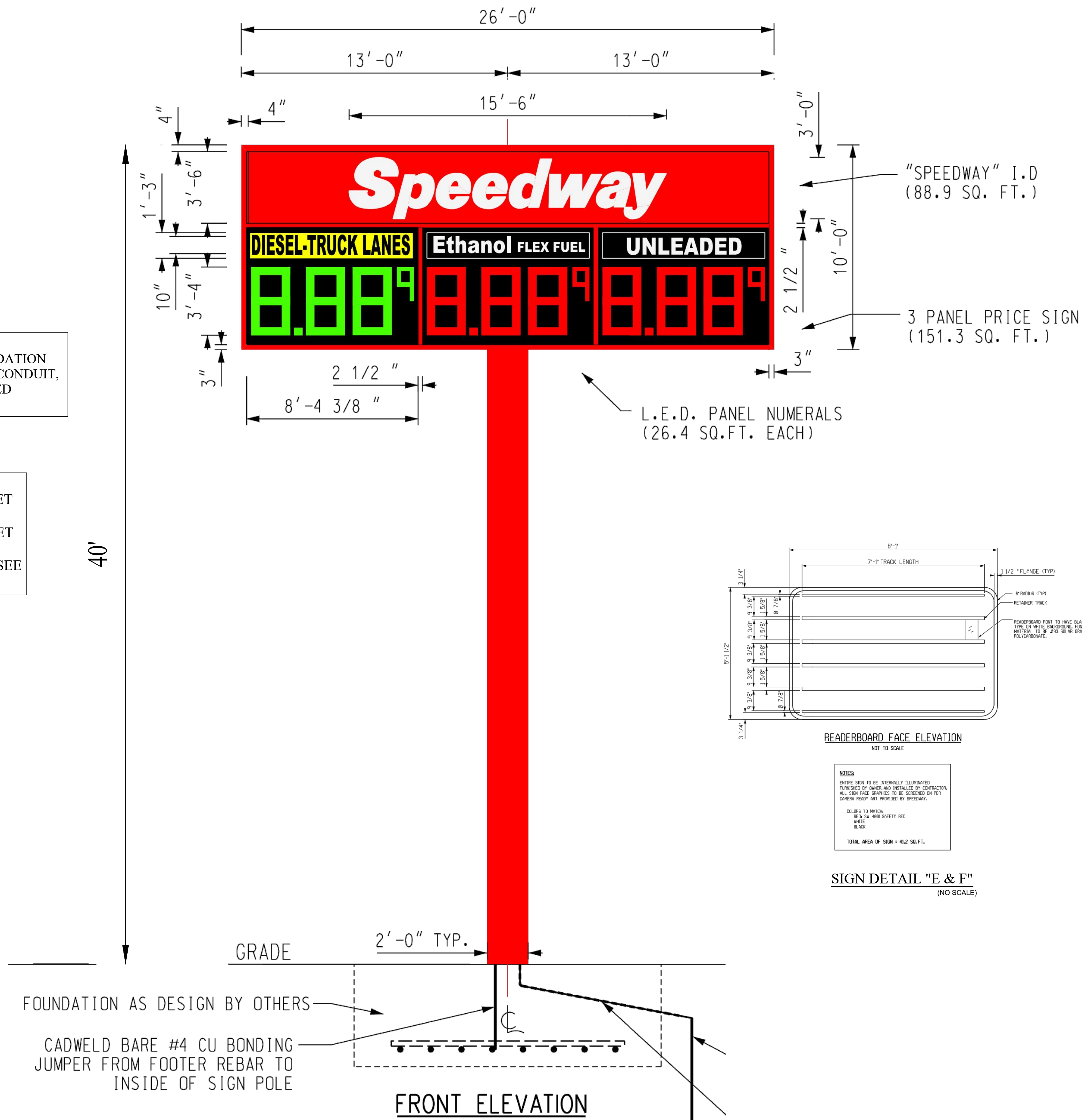


SIGN DETAIL "H"
(NO SCALE)

NOTE
THIS IS FOR REFERENCE. SEE DRAWINGS
BY EVERBRITE FOR SIGN DETAILS.



LOCATION: H:\2019\W190485\Engineering\design\conset\101100 - FE - SS - SIGNAGE PLAN & DETAILS.dwg
 LAYOUT: SS2 - Signage plan and details
 DATE/TIME: June 30, 2020 - 11:49am
 PLOTTED BY: carterre



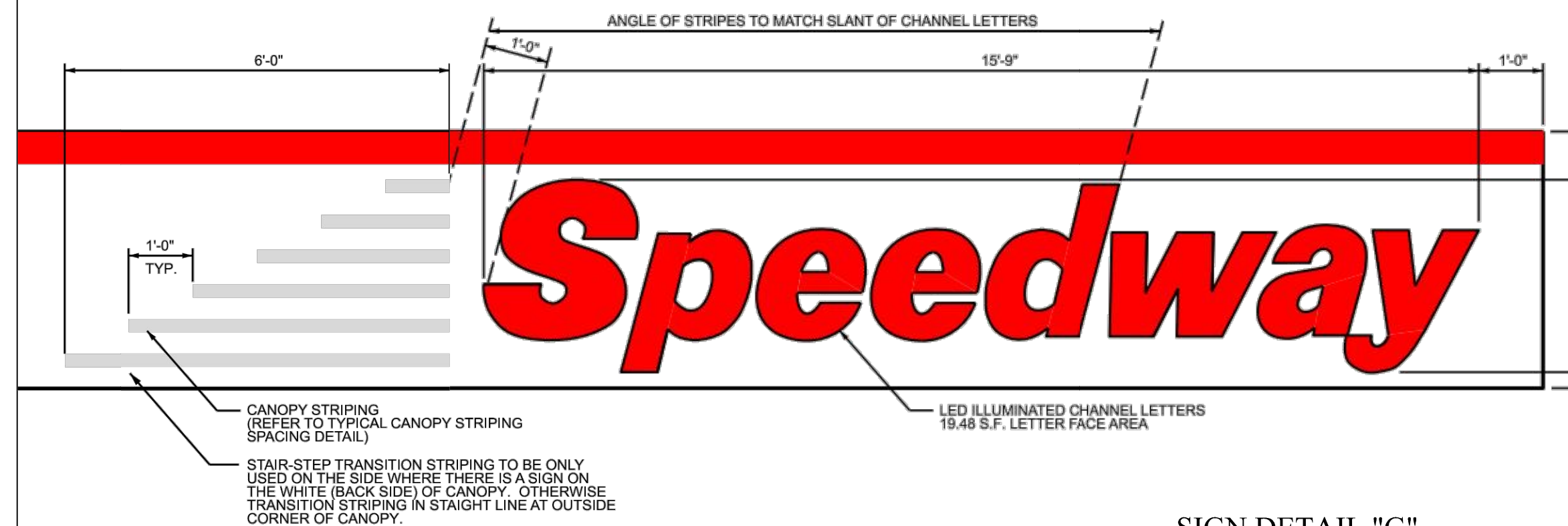
SIGN DETAIL "A"
(NO SCALE)

NOTE
THIS IS FOR REFERENCE. SEE DRAWINGS
BY EVERBRITE FOR SIGN DETAILS.

[illegible]

SIGNAGE PLAN & DETAILS
NEW BUILD - STORE 101100
NEC of Northwest Blvd & Hillandale Rd
Davenport, IA 52806
Scott County

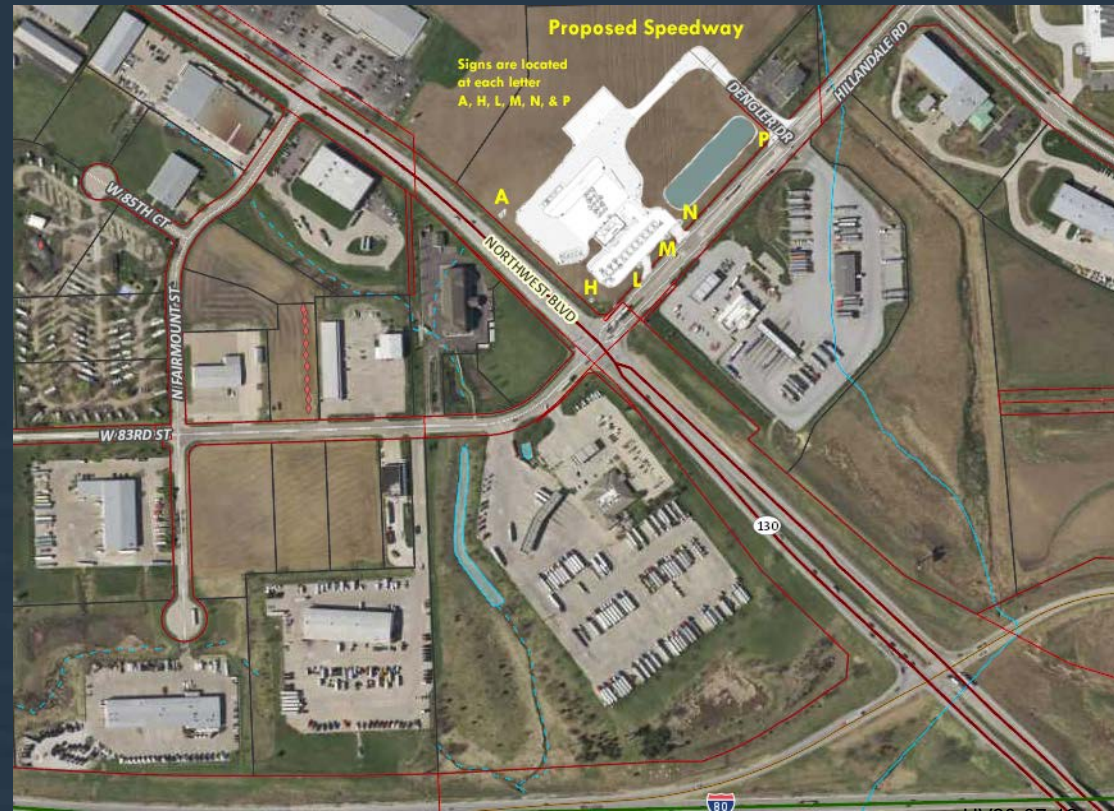
BLDG TYPE & VERSION		4600-V2.0	
PROJECT ID NO.		114431	
SCALE			
DESIGN TEAM		DATE	
DGNR.	J. McClain	10-03-2018	
P.WGR.	R. Roosen	10-03-2018	
R.MGR.	E. Carter	10-03-2018	
DRWG. NO.			
101100 - SS2			



HV20-07

- 2nd freestanding sign
- Exceed height of 2nd freestanding sign
- Exceed area limitations on 2nd freestanding and parking lot signage

August 27, 2020



Site



Site



- Two (2) identification signs are located at “A” & “H”; “H” = no HV needed
- Four (4) ‘directional’ signs are located at “L” “M” “N” & “P”
- Sign “A” is the additional freestanding sign over the allowed one (1) freestanding sign.

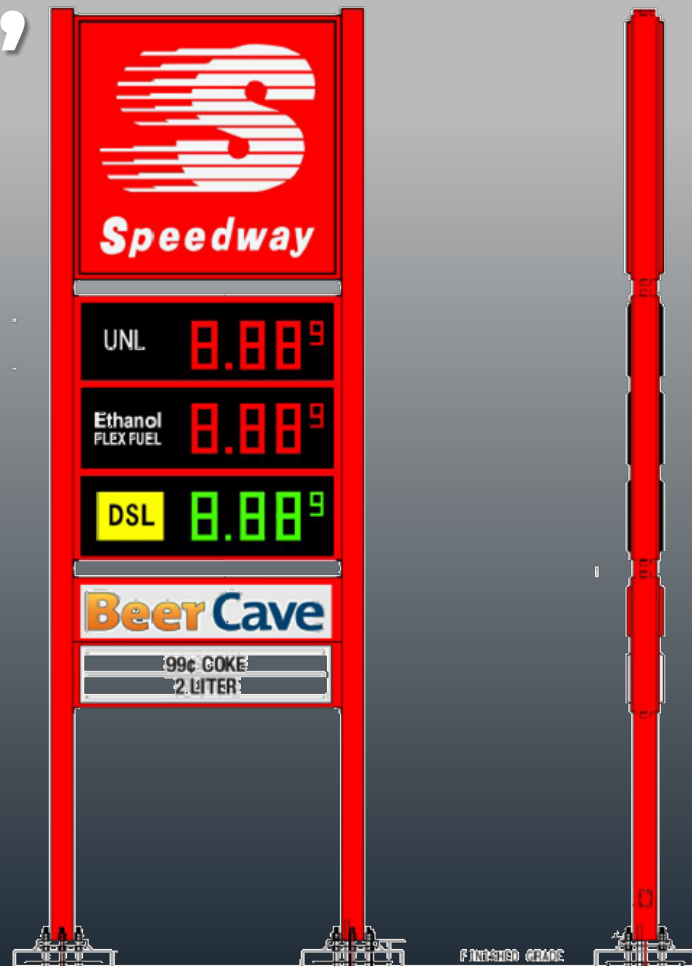


Reduced Size Sign 'H'

REVISED

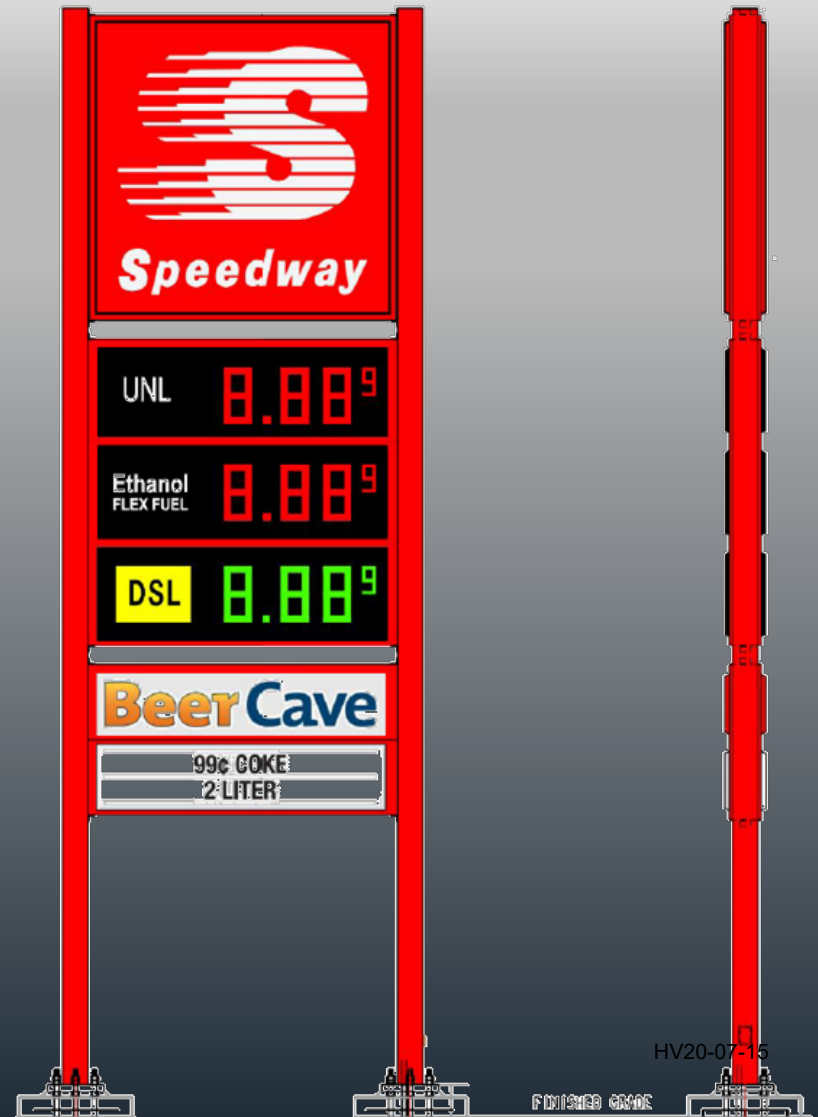
25' H
100 sqft

No Variance Needed

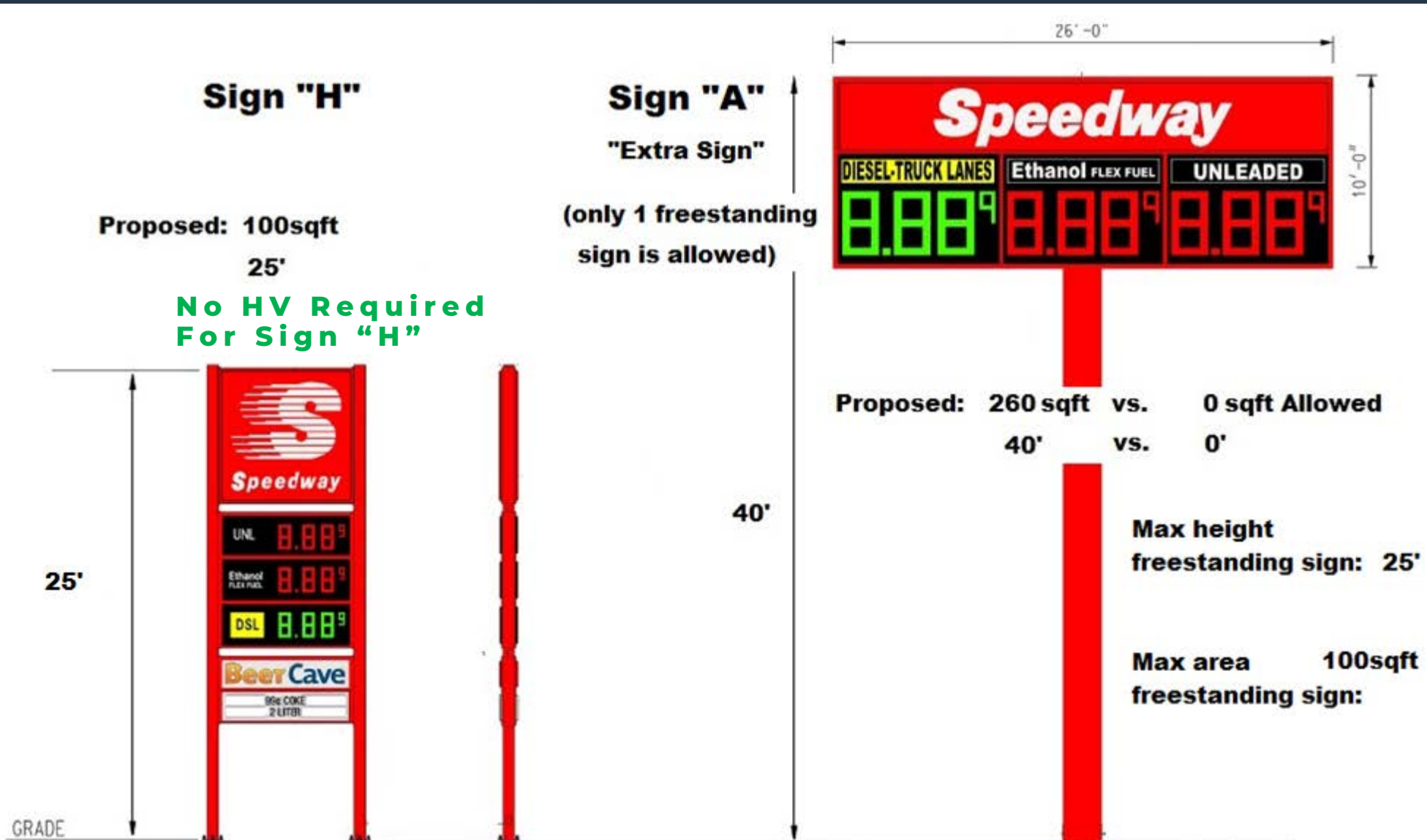


PREVIOUS REQUEST

29' H 165 sqft

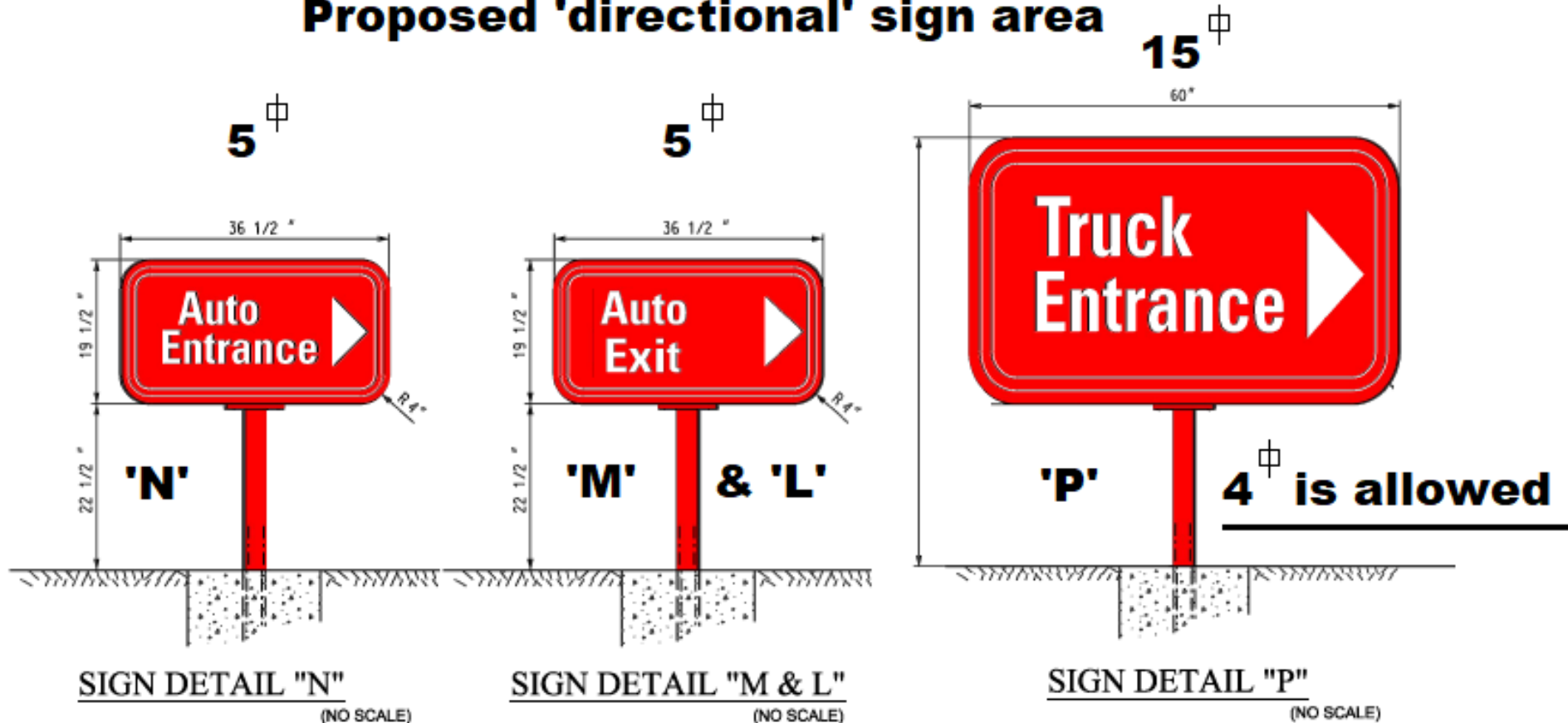


Proposed Signs 'H' & 'A'



Proposed Signs 'N' 'M' 'L' & 'P'

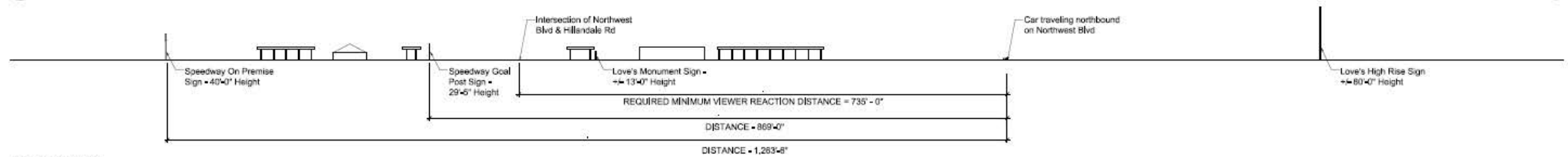
Proposed 'directional' sign area



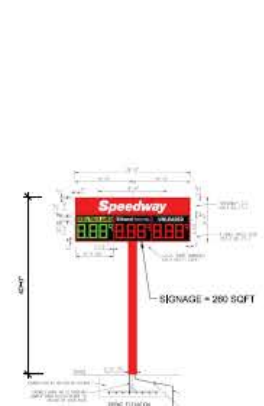
Visibility Exhibit



1 REQUIRED VIEWER REACTION DISTANCE WITH 20 DEGREE CONE OF VISION BASED ON SPEED OF ROAD
SCALE: 1" = 80'x0"



2 SECTION
SCALE: 1" = 80'x0"



4 SPEEDWAY SIGN
SCALE: 1/16" = 1'x0"



5 FLYING J SIGN
SCALE: 1/16" = 1'x0"



6 LOVE'S SIGN
SCALE: 1/16" = 1'x0"



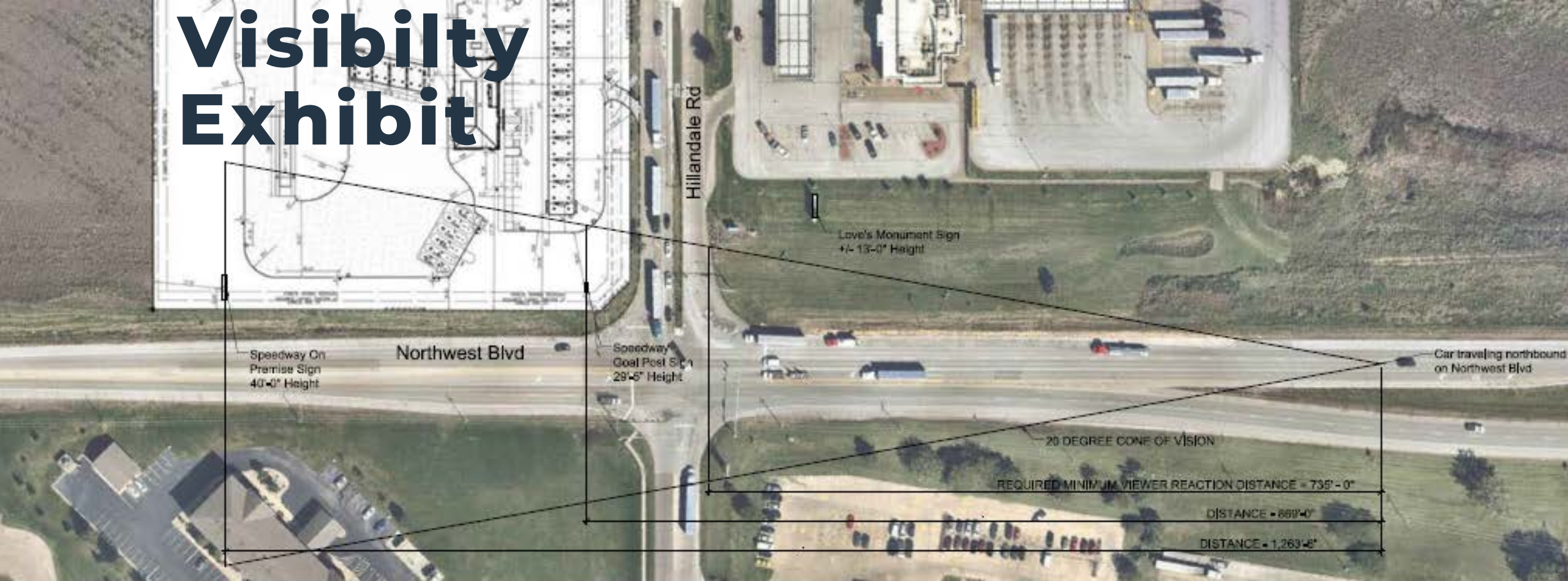
7 NORTHBOUND VIEW AT +/- 735'-0" FROM INTERSECTION
SCALE: 1/16" = 1'x0"

Freestanding Sign Size in Square Feet
Sign Size (Square Feet) = (VRT)(MPH)² / 900
VRT = Viewer Reaction Time MPH = Miles Per Hour
VRT varies with roadside complexity.
simple or 2 lane = 8 seconds / complex or 4 lane = 10 seconds / multi lane = 11 seconds

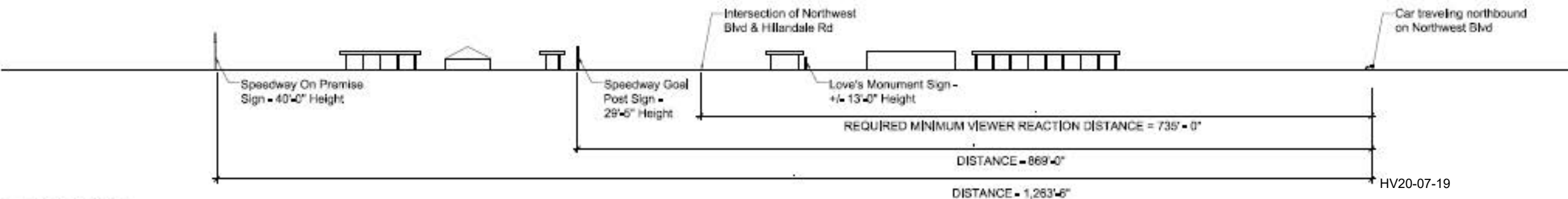
MPH	Road Complexity	VRT	Sign Size
25	simple / 2 lane	8	50
25	complex / 4 lane	10	79
30	simple / 2 lane	8	72
30	complex / 4 lane	10	112
35	simple / 2 lane	8	96
35	complex / 4 lane	10	153
40	simple / 2 lane	8	128
40	complex / 4 lane	10	200
45	simple / 2 lane	8	162
45	complex / 4 lane	10	253
50	simple / 2 lane	8	200
50	complex / 4 lane	10	312
55	complex / 4 lane	10	378
60	complex / 4 lane	10	450
65	multi lane	11	539
70	multi lane	11	741
75	multi lane	11	800

8 UNITED STATES SIGN COUNCIL
SCALE: NTS

Visibility Exhibit



1 REQUIRED VIEWER REACTION DISTANCE WITH 20 DEGREE CONE OF VISION BASED ON SPEED OF ROAD
SCALE: 1" = 60'-0"



2 SECTION
SCALE: 1" = 60'-0"

Visibilty Exhibit

**Hardship
Variance
Required
(2020?)**

H: 40'

A: 260

**Hardship
Variance
Required
(1994)**

H: 65'

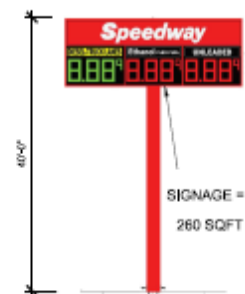
A: 920

**Hardship
Variance
Required
(2011)**

H: 80'

A: 920

Sign "A"



Freestanding Sign Size in Square Feet

$$\text{Sign Size (Square Feet)} = \frac{[(\text{VRT})(\text{MPH})]^2}{800}$$

VRT = Viewer Reaction Time MPH = Miles Per Hour

VRT varies with roadside complexity:

simple or 2 lane = 8 seconds / complex or 4 lane = 10 seconds / multi lane = 11 seconds

MPH	Road Complexity	VRT	Sign Size
25	simple / 2 lane	8	50
25	complex / 4 lane	10	78
30	simple / 2 lane	8	72
30	complex / 4 lane	10	112
35	simple / 2 lane	8	98
35	complex / 4 lane	10	153
40	simple / 2 lane	8	128
40	complex / 4 lane	10	200
45	simple / 2 lane	8	162
45	complex / 4 lane	10	253
50	simple / 2 lane	8	200
50	complex / 4 lane	10	312
55	complex / 4 lane	10	378
60	complex / 4 lane	10	450
65	multi lane	11	639
70	multi lane	11	741
75	multi lane	11	850

4

SPEEDWAY SIGN

SCALE: 1/16" = 1'-0"

5

FLYING J SIGN

SCALE: 1/16" = 1'-0"

6

LOVE'S SIGN

SCALE: 1/16" = 1'-0"

8

UNITED STATES SIGN COUNCIL

SCALE: NTS

HY20-07-20

Notice Map



Findings/Recommendation

Findings:

The submitted application does not provide the necessary evidence required to prove that any of the zoning code's approval standards have been met.

- Item #1 ordinance creating hardship has not been established;
- Item #2 site physical/topographical conditions do not support approval;
- Item #3 unique circumstance has not been established; and
- Item #4 protection of essential character has not been demonstrated.

Findings/Recommendation

Recommendation:

Staff recommends HV20-07 for denial as the approval standards of the zoning code have not been met.

Signs “A” and “H”: these signs are both significantly over the height and area allowed by the freestanding sign code; while sign “H” exceeds the requirements to a lesser extent than sign “A”, there still remains a lack of justification for the additional size of sign “H” and for the second sign in general.

The hardship variance request for the ‘directional’ signage is less of a concern for staff due to the lower stature of those signs, which are primarily on-site wayfinding aids and are proposed at or lower than the allowed ‘directional’ sign height.

Motions to consider:

The Staff recommends considering the request as three separate motions:

- Motion #1: “For consideration purposes, I move to approve the request for an addition freestanding sign, sign ‘A’ ”; (should the motion be fail, skip Motion #2)
- Motion #2: “For consideration purposes, I move to approve the size and height of the approved second freestanding sign (sign “A”) with the following height and area dimensions: _____feet high and _____square feet in area.”
- Motion #3 “For consideration purposes, I move to approve the request for directional signs ‘L’, ‘M’, ‘N’ and ‘P’ ”.

[NOTE 15-sqft sign ‘P’ can be considered separately]

THANK YOU







1994 HV for to exceed sign area
This sign allowed as an “interstate” sign due to prior code



8.303 Northwest BLVD HV20-07 - Adjacent Owner Notice List

Parcel	Property Address	Owner Name	Owner Street	Owner CityStateZip
Petitioner:	8303 Northwest BLVD	SPEEDWAY	2824 W LOCUST ST	
Neighborhood:	none			
Ward/Ald:	Ward 8	All Alderman Notified	Both Admin Clerks Notified	14 Notices Sent
W3317-01		FSA PARTNERS LC	22923 RT 2 & A D 92	PORT BYRON IL 61275
V3223-12A		CALLISON INVESTMENT CO	1436 E ORVID	DES MOINES IA 50316
W3317-01B		BETTENDORF HOTEL ASSOCIATES LC	2 QUAIL CREEK CR	NORTH LIBERTY IA 52317
W3317-02B		BETTENDORF HOTEL ASSOCIATES LC	2 QUAIL CREEK CR	NORTH LIBERTY IA 52317
W3319-11		GREATER DAV REDEVELOPMENT CORP	331 W 3RD ST	DAVENPORT IA 52801
W3319-01D		LOVE'S TRAVEL STOPS INC	15 W 6TH ST - STE 2400	TULSA OK 74119
W3301-04A		DENGLER WALTER A	300 E LINCOLN RD	ELDRIDGE IA 52748
W3301-04A		ZWICKER FAMILY LTD	1405 14TH ST	ORION IL 61273
W3301-04A		DENGLER WAYNE	1050 S SCOTT PARK RD	ELDRIDGE IA 52748
W3317-02D		WALTER A DENGLER TRUSTEE	1050 S SCOTT PARK RD	ELDRIDGE IA 52748
W3317-02D		ZWICKER FAMILY LTD PART	1405 14TH ST	ORION IL 61273
W3317-02D		DENGLER WAYNE A	1050 S SCOTT PARK RD	ELDRIDGE IA 52748
V3223-11D		DAVENPORT FARM & FLEET INC	PO BOX 5391	JANESVILLE WI 53547-5391
W3333-05G		C F J PROPERTIES	STORE #636 BOX 54470	LEXINGTON KY 40555-0888

From: [Koops, Scott E.](#)
To: [Koops, Scott E.](#)
Subject: FW: ZBA Adjacent Owner Notices
Date: Friday, July 10, 2020 8:30:43 AM
Attachments: [Adjacent Owner Notice & Map HV20-07 at 8303 NW BLVD 7-23-20 HEARING.pdf](#)
[ZBA Adjacent Owner Notice HV20-05 -06 for 7-23-20 Hearing.pdf](#)

Thank you!

Scott Koops, AICP
Planner II | CPED – Community Planning
City of Davenport

563-328-6701
226 W 4th St, Davenport, IA 52801

davenportiowa.com/planning | [EPlan](#) | [Zoning Ordinance](#) | [Zoning Map](#)

From: Koops, Scott E.
Sent: Wednesday, July 8, 2020 2:07 PM
To: Ambrose, Raymond <Raymond.Ambrose@davenportiowa.com>; Berger, Bruce <Bruce.Berger@davenportiowa.com>; Condon, JJ <JJ.Condon@davenportiowa.com>; Dickmann, Maria <Maria.Dickmann@davenportiowa.com>; Dohrmann, Matt <Matt.Dohrmann@davenportiowa.com>; Dunn, Rick <Rick.Dunn@davenportiowa.com>; Gripp, Kyle <Kyle.Gripp@davenportiowa.com>; Jobgen, Ben <Ben.Jobgen@davenportiowa.com>; Lee, Judith <Judith.Lee@davenportiowa.com>; Matson, Mike <Mike.Matson@davenportiowa.com>; Meginnis, Marion <Marion.Meginnis@davenportiowa.com>; Peacock, Patrick <Patrick.Peacock@davenportiowa.com>; Spiegel, Corri <Corri.Spiegel@davenportiowa.com>; Thorndike, Tiffany <Tiffany.Thorndike@davenportiowa.com>; Torres, Samantha <Samantha.Torres@davenportiowa.com>
Cc: Berkley, Laura <Laura.Berkley@davenportiowa.com>; Oswald, Richard <Richard.Oswald@davenportiowa.com>
Subject: ZBA Adjacent Owner Notices

Please see the attached notices for the ZBA hearing scheduled for 7-23-20

ZBA members: These notice are just for your information, no action is required at this time.

Thank you!

SCOTT KOOPS
Planner II | Planning Division
City of Davenport

📞 563-328-6701
1200 E 46th ST | Davenport IA 52807



PUBLIC HEARING NOTICE ZONING BOARD OF ADJUSTMENT CITY OF DAVENPORT



Public Hearing Details:

Date: 7/23/2020

Time: 4:00 PM

Location: Council Chambers | City Hall | 226 W. 4th ST.

Subject: Public hearing for a Hardship Variance before the Zoning Board of Adjustment

Ward: 8th

Case: HV20-07

To: All property owners within 200 feet of the subject property located at **8303 Northwest BLVD.**

What is this All About?

This notice is being sent to inform you that a public hearing will be held for a Hardship Variance. The purpose of the Hardship Variance is to grant permission to waive or alter a size or dimensional code requirement.

Request/Case Description

Request HV20-07 of Gary Caldwell on behalf of Speedway LLC for a hardship variance at 8303 Northwest BLVD for a sign package allowing 1) a second (or additional) freestanding sign (sign "A"); 2) a freestanding sign 29.5' in height being 165 sq. ft. (sign "H"), 3) a freestanding sign (sign "A") 40' in height being 260 sq. ft. and 4) a variance for 'parking lot signage' allowing sign "N" at 5 sq. ft. and sign "P" at 15 sq. ft. The proposed signs will be located on a newly developed truck stop. Section 17.12.050 and .060. limits the property to one freestanding sign feet 25' in height with a sign face area of no more than 100 sq. ft. and parking lot directional signage to 5' in height with a sign face area no more than 4 sq. ft. [Ward 8]

What are the Next Steps after the Public Hearing?

For approved ZBA requests, the ruling is effective immediately. Rulings of the Zoning Board of adjustment are final. The applicant may request reconsideration at the next public hearing, and aggrieved parties may file a writ of certiorari with the district court.

Would You Like to Submit an Official Comment?

As a neighboring property owner you may have an interest in commenting on the proposed request via email or in person at the public hearing. Send written comments to planning@davenportiowa.com (no later than 12:00 PM *one day before* the public hearing) or to: Planning, 1200 E 46th St, Davenport IA 52807.

On-line/Telephone Participation:

Persons may join the meeting virtually: <https://global.gotomeeting.com/join/415560525> & at 1-866-899-4679 with access code: 415 560 525. All documents related to the meeting (agenda included) are at "Search Minutes & Agendas": www.cityofdavenportiowa.com/boards Mondays before the meeting/public hearing.

Do You Have Any Questions?

If you have any questions or if accommodations are needed for any reason, please contact the planner assigned to this project (Scott Koops, AICP) at scott.koops@davenportiowa.com or 563-328-6701. Interpretive services are available at no charge. Servicios interpretativos libres estan disponibles. TTY: (563) 326-6145

Please note items may be removed or tabled to a future hearing date at the request of the Applicant or Commission/Board. Those interested verifying case actions and/or tablings, please contact Planning at 563-326-6198 or planning@davenportiowa.com for updates.

Shaded green area is the 200' adjacent property owner notice area and the subject property.

